

April 8, 1967

Intelligence Note 273 from Thomas L. Hughes to the Acting Secretary, 'Has West Germany Decided to Try to Scuttle the Non-Proliferation Treaty?'

Citation:

"Intelligence Note 273 from Thomas L. Hughes to the Acting Secretary, 'Has West Germany Decided to Try to Scuttle the Non-Proliferation Treaty?'" , April 8, 1967, Wilson Center Digital Archive, RG 59, Bureau of Intelligence and Research, Reports Coordination and Review Staff, Research Memoranda, 1966-1967, box 175, REU-13-RM. Contributed by William Burr, National Security Archive.

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Summary:

By the late winter/early spring of 1967, controversy over the NPT was hurting U.S.-West German relations, placing them at perhaps their lowest point during the Cold War. While an earlier report suggested that West Germany would ultimately sign the Treaty, despite objections, only weeks late INR this report was issued wondering whether Bonn was trying to wreck the NPT.

Credits:

This document was made possible with support from Carnegie Corporation of New York (CCNY)

Original Language:

English

Contents:

Original Scan

U.S. DEPARTMENT OF STATE

DIRECTOR OF INTELLIGENCE AND RESEARCH

*Intelligence
Note* -273

April 8, 1967

To : The Acting Secretary
 Through: S/S
 From : INR - Thomas L. Hughes *TH*

Subject: Has West Germany Decided to Try to Scuttle the Non-Proliferation Treaty?

The official position of the Federal Republic of Germany in regard to a nuclear non-proliferation treaty (NPT) is still that, in principle, it favors its conclusion once certain German doubts and problems about specific aspects or provisions of the treaty have been resolved. In fact, however, the weight of available evidence indicates that it may now be a considered policy of the Bonn Government to try to kill off the treaty project, IF this can feasibly be done without exposing West Germany to a credible charge that it bears the prime responsibility for wrecking an agreement. We have no direct evidence of any cabinet decision - or even personal decision by Chancellor Kiesinger and Foreign Minister Brandt - to this effect, but recent FRG behavior can be most plausibly explained only on the basis of such an assumption.

Foreign Policy Considerations Motivating the FRG to Oppose the NPT

During the last three months, there have been innumerable exchanges between German and American officials, bilaterally and in the North Atlantic Council, on Bonn's difficulties with the treaty. Although a great number of objections have been raised (and will be spelled out below), the most fundamental ones arise in the political and security fields. When all is said and done, the FRG does not want to consign itself permanently to a nuclear "have-not" status vis-a-vis either its allies or its enemies. Moreover, since it seems to believe that its defense needs might evolve in such a way as to make a national nuclear arm necessary, it does not want to foreclose its eventual possession.

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SECRET/NO FOREIGN DISSEM

SECRET/NO FOREIGN DISSEM

- 2 -

Quite significantly, these restrictive features of the NPT, to which Bonn has basic objection, are inherent in the document. No amount of tinkering with the text will be able to change this, unless the whole nature of the agreement is to be revised (and this would, of course, make it instantly non-negotiable with the USSR). Under these circumstances, the amount of good faith inherent in West German requests for "full consultation" with the U.S. in order to arrive at a mutually agreed treaty draft prior to tabling at Geneva must be questioned.

The more salient foreign policy factors in Bonn's view are as follows:

1. The NPT has taken the form of an American-Soviet "deal" over the head of West Germany and all other countries. This is a bad precedent in itself, especially at a time when the FRG is showing a much greater tendency toward national self-assertiveness as a means for achieving national objectives. Additional Moscow-Washington "deals" might even affect the American security guarantee to West Germany and Western Europe, despite U.S. assurances to the contrary. In this connection, FRG officials have cited the pressures supposedly put upon the U.S. by the Vietnam war to seek accommodations with the USSR in other fields.

2. The NPT would give the USSR what it has long wanted in regard to the FRG, namely, a means of ensuring itself against Bonn Government connections with nuclear hardware. Even worse, Moscow would not have to pay the FRG anything for this gain, whereas West German officials have always hoped that they might get something in trade for nuclear abstinence (for some people in Bonn, FRG participation in the MLF was put into this category of bargaining leverage with the USSR).

3. As Bonn sees it, Soviet advantages would go still further in that the NPT would give Moscow a voice in West European security affairs and nuclear arrangements. The Soviet Union could claim that various future changes in Western collective security arrangements amounted to violations of the NPT.

SECRET/NO FOREIGN DISSEM

SECRET/NO FOREIGN DISSEM

- 3 -

4. The NPT might also solidify a status quo psychology in Western Europe to the detriment of West Germany's national interest in changing existing conditions, at least as far as the division of Germany is concerned.

5. The NPT would enhance the political position of the UK and France in Western Europe as the only two nuclear powers on the continent, while West Germany remained relegated to an inferior "have-not" position along with many much smaller and weaker countries.

6. Apart from the political consequences of non-nuclear status, there is in West German eyes the possibility that the FRG may have a genuine security need for nuclear weapons either nationally or in some combination with other West European states. The NPT would outlaw a national force and would also foreclose the combination option, at least until the formation of a single sovereign European federation which included either Great Britain or France, as well as West Germany.

7. Many Bonn officials also feel that the NPT would put a new damper on enthusiasm for advancing the eventual political integration of Western Europe by its provisions complicating joint defense arrangements. Whether or not this is a valid present concern, the NPT does pose immediate problems for EURATOM, through proposed treaty provisions on safeguards arrangements which distinguish between nuclear powers (France) and non-nuclear powers (the other five members of EURATOM).

8. Although the degree of French influence on Bonn's thinking about the NPT is very obscure (with some reports indicating French instigation of FRG opposition and other reports implying French neutrality), the West Germans know that France will not adhere to the NPT. The West Germans will probably assume, therefore, that Paris would interpret accession by the FRG to be a sign that the U.S. is still able to create pressures on Bonn for positive responses to some American endorsed projects even when the FRG's own reaction, to say nothing of France's reaction, is negative. This would run counter to Kiesinger's efforts to make Paris believe that Franco-German relationships are generally more important than U.S.-German involvements.

SECRET/NO FOREIGN DISSEM

SECRET/NO FOREIGN DISSEM

-4-

9. Opposition to the NPT enhances West Germany's stock with other countries negatively inclined toward the project, including France, Italy, Japan, India, and Communist China. Although these countries are a mixed bag, Bonn greatly values solidarity with France and Italy and would find some advantages in improved links to the other three.

Domestic Political Considerations Motivating the FRG to Oppose the NPT

1. The NPT is deeply opposed by strong elements within the CDU/CSU, and Kiesinger has been the only leading figure in that party who has even occasionally expressed any real sympathy for the treaty. West German accession to the NPT might even cause Strauss to lead his CSU out of alliance with the CDU--and out of the coalition government. While his deputies are not essential to the Chancellor, the CSU's defection would leave the CDU inferior in number of parliamentary seats to the SPD, the other coalition party. Moreover, there are other forces in the CDU who also object strongly to the project, and, all in all, Kiesinger can avoid serious political difficulties if the NPT is somehow buried before the question of FRG adherence arises.

2. The SPD, whose leaders strongly supported the idea of an NPT before they joined the government in December 1966, has progressively weakened its backing. Partly because SPD history makes it somewhat vulnerable to charges that it has not always given total priority to protecting German national interests (nationalistically defined), it is particularly sensitive to maintaining a patriotic image. Thus, it is most reluctant to defend the NPT against charges that the treaty amounts to a sell-out of West Germany's political and security requirements. In addition, the SPD is especially anxious to keep the present coalition government in power since SPD leaders feel that its survival may be essential just now to the preservation of democratic institutions in the FRG. They do not wish to strain the coalition by forcing a confrontation over the NPT, and the net

SECRET/NO FOREIGN DISSEM

SECRET/NO FOREIGN DISSEM

- 5 -

result is for the SPD to follow in Kiesinger's path, applying little pressure to get him to favor the project and, in effect, letting him be the judge of what official policy should be.

Countervailing Policy Considerations in West Germany

1. The NPT would be a measure of detente between East and West which might facilitate the implementation of Bonn's new active policy in Eastern Europe. All of the Communist states have explicitly demanded that the FRG renounce any association with nuclear weapons, and several have indicated that West Germany's signature on an NPT would fulfil that condition. While this factor has been influential in the SPD, it has not been decisive, for the other domestic political reasons enumerated above. Moreover, most West German officials consider the NPT to be more a measure of US-Soviet detente and an instrument of Soviet interference in Western Europe than an occasion for promoting Bonn's eastern policy. Some fear that it might have the reverse effect if it should work to consolidate the status quo.

2. There is also the point that opposition to the NPT raises another serious issue between Bonn and Washington. In past years, this might have been decisive, but given the history of such matters as the MLF/ANF and offset arrangements, disagreement between the two capitals has become somewhat routine. Naturally, the FRG is not happy with a new bone of major contention, but this cannot be the determinative consideration when most West Germans believe the political stakes to be so large.

3. Some West Germans may also be concerned by nuclear proliferation around the world which the NPT would stop or greatly retard. However, Bonn's prime focus is on Europe and on its own position and national problems. It considers the burdens of peace in the Middle East or Far East to fall on American or Soviet shoulders. It would not care much if such countries as India acquired a nuclear capability; some West Germans might even welcome it as psychologically helpful for the eventual construction of an FRG nuclear force.

SECRET/NO FOREIGN DISSEM

SECRET/NO FOREIGN DISSEM/CONTROLLED DISSEM

- 6 -

4. Finally, the FRG would be quite upset if the world generally put the onus of killing the NPT squarely at Bonn's door. This would worsen West Germany's standing simultaneously in Eastern Europe, the U. S., much of Western Europe, and some of the rest of the world. As a power with unfulfilled national goals, Bonn cannot afford to be in such a position, and this difficulty might be serious enough to overcome all of the other weighty FRG objections to the NPT. In practice, however, the choice is not this stark, but Bonn's ability to cope with the problem becomes a function of how well it can devise tactics to upset the NPT project without seeming to do so.

Spoiling Tactics Adopted by the FRG on the NPT It is probable that, at the outset of US-FRG consultation on the NPT, Bonn did not have the intention of killing off the agreement. Foreign Minister Brandt initially showed the same sympathy for the NPT which he had voiced when he was Mayor of West Berlin, and Chancellor Kiesinger seemed genuine in his desire to overcome the already evident domestic opposition. Both men were quite ready to raise various questions about specific treaty provisions, but both expected opponents to run out of steam, and neither seemed to anticipate insuperable obstacles to eventual West German adherence.

It is not possible to pinpoint the moment when these two leaders and their colleagues apparently realized that the NPT debate had erupted into such a serious battle over foreign policy and domestic politics that they decided that Bonn should work to bring about the treaty's demise. However, it is difficult to read their current tactics, carried out by FRG representatives under firm instructions (and described below), in any other light.

1. Bonn seems to be trying to maximize everyone's obfuscation about treaty issues through a wide variety of appeals on technical and emotional issues. Thus, the NPT has been tied to such matters as the US-West European technological gap, claimed technological spinoff from a nuclear weapons program, the NPT's alleged threat to full civilian nuclear development, the supposed great utility of nuclear explosions for peaceful purposes, the dangers of industrial espionage (IAEA

SECRET/NO FOREIGN DISSEM/CONTROLLED DISSEM

SECRET/NO FOREIGN DISSEM

- 7 -

safeguards), and equal sacrifices by the nuclear powers (e.g., moves by them toward nuclear disarmament). Admittedly, some of these points are partially legitimate, and the U.S. has made efforts wherever feasible to mollify Bonn and other allies aroused on similar points. However, even while the FRG has acknowledged some improvements in the American position, it has continued, with much imagination, to raise new troublesome details even when these have gone beyond the range of reasonable objections.

2. The West Germans have pressed hard for changes in texts and have not been at all deterred by warnings that the revisions demanded by the FRG would make the treaty non-negotiable with the USSR or other nations. In fact, it would seem that Bonn would be most pleased if it could induce the U.S. to adopt positions on various provisions that the USSR would not accept, since this could kill the entire project without exposing the West German hand too prominently. Under such circumstances, all NATO countries could blame Soviet obduracy for the NPT's failure.

3. Bonn has also worked fairly strenuously to get other like-minded countries to speak out with objections of their own, whether these parallel those of the FRG or not. West German incitement has certainly not been the chief reason why Italy, India, and Japan, for example, have expressed major doubts about the NPT, but the protective coloration that "togetherness" affords all these countries is highly useful to each of them.

4. West Germany has also worked hard to delay decisions. Not only have new questions been raised one after the other, but Bonn has tried to impose conditions to the tabling at Geneva by the US and USSR of any NPT draft text jointly agreed on by Moscow and Washington. It argued fairly explicitly on April 4 in the

SECRET/NO FOREIGN DISSEM

SECRET/NO FOREIGN DISSEM

- 8 -

North Atlantic Council that each NATO ally should have a veto right over tabling and it has stressed repeatedly that the U.S. would be reneging on its promises of full consultation if it tabled a text before West Germany were wholly satisfied. These dilatory procedures may not have any specific end in view, but playing for time could be valuable if Bonn believes that other world events (such as developments in the Vietnam war) might intervene to destroy Soviet (or U.S.) willingness to proceed with a new Washington-Moscow agreement, such as the NPT.

Overall Foreign Policy Problems Posed for the U.S. by Bonn's Position

Since Washington has told its NATO allies that the NPT's prospects will be seriously jeopardized if the US and USSR do not soon come to agreement on a draft text for tabling at the resumption of the Geneva Disarmament Conference on May 9, and since Bonn is very evidently seeking to prevent any such early American-Soviet decision, the U.S. is apparently faced with a policy dilemma. If it places a premium on concluding an NPT and on extending the range of US-Soviet understandings in areas of mutual interest, it will have to be prepared to suffer some deterioration of relations with West Germany (and perhaps a few other countries). If, on the other hand, the U.S. believes that NATO should not be confronted with increased internal strains or that an NPT can safely be postponed a while, then it will have to face the loss of some international prestige for retreating from a position that it had energetically promoted. (Even though the tactical expedients for scuttling the NPT and blaming the USSR are readily at hand, their use would be generally recognized as a cover-up for a substantive switch of policy, which many would ascribe to West German pressure).

Without attempting to weigh the policy problems involved, it can be said that a U.S. determination to seek agreement with the USSR on a treaty text for early

SECRET/NO FOREIGN DISSEM

SECRET/NO FOREIGN DISSEM

- 9 -

tabling over West German opposition would not mean that Bonn would end up boycotting the NPT. Once the FRG had failed in its efforts to pressure the U.S. into delay or a reversal of policy, it might well find that its international position demanded that it not expose itself to accusations that it favors a global spread of nuclear weapons or has its own national nuclear aspirations. Nonetheless, the domestic political struggle within West Germany over this issue could become quite bitter and threaten the stability of the CDU, of the CDU/CSU alliance, and of the coalition regime. We have no basis now for estimating how far such dissension might go, how the general West German public would line up on the merits of the issues, and how much extremist nationalist trends might be promoted by the whole episode.

On the other hand, if the U.S. were seen by the USSR and by other NATO allies to have given in substantially to the FRG over NPT issues, this could affect their assessment of the steadfastness of U.S. policies, of the extent of Bonn's influence in determining the American position and NATO's affairs, and of the prospects for meaningful collaboration between Moscow and Washington in arms control matters. It should also be noted that not even a reversal of the U.S. stand on the NPT would be likely to restore great intimacy to US-FRG relations; in fact, Bonn would only be reinforced in its belief (already encouraged by the course of the offset crisis) that the only way to protect its interests vis-a-vis the U.S. is by insistent and even brutal firmness.

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